



3743#

Patent  
Attorney's Docket No. 033275-212

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Patent Application of: )  
)  
Timothy GRIFFIN, et al. ) Group Art Unit: 3743  
)  
Serial No.: 09/843,836 ) Examiner: Carl D. Price  
)  
Filed: April 30, 2001 ) Confirmation No.: 1029  
)  
For: CATALYTICALLY OPERATING )  
BURNER )

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (2814) ☐ \$110.00 (1814) to cover the requisite Government fee are also enclosed.
- ☐ Also enclosed is \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (2801) ☐ \$740.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted \_\_, on \_\_, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

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AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
<b>TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT</b>					

☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.

§§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: William O. Trousdell  
 William O. Trousdell  
 Registration No. 38,637

P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620

Date: November 6, 2002



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In Patent Application of:	)	
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Timothy GRIFFIN, et al.	)	Group Art Unit: 3743
	)	
Serial No.: 09/843,836	)	Examiner: Carl D. Price
	)	
Filed: April 30, 2001	)	Confirmation No.: 1029
	)	
For: CATALYTICALLY OPERATING	)	
BURNER	)	

**REPLY TO RESTRICTION REQUIREMENT**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

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In response to the Official Action issued September 10, 2002, the period for response having been extended to November 10, 2002, by the attached Petition for Extension of Time, Applicants hereby provisionally elect, albeit with traverse, Species I, as shown in Fig. 4. Claims 1, 5-11, 14, 18, 19 and 24 read on the elected Species.

The species of Fig. 9 has not been identified as a distinct species, and therefore Applicants assume that this species will also be examined in the present application. Claim 23 reads on the species of Fig. 9. The Restriction Requirement is traversed because it is believed that the species of Figs. 4-9 are drawn to sufficiently interrelated inventions to warrant examination thereof in a single application.

It is respectfully submitted that a complete search for any one of the above-referenced species would necessarily encompass a search for the subject matter of the remaining species. Thus, it is submitted that the search and examination of the entire

application can be made without serious burden on the U.S. Patent and Trademark Office. M.P.E.P. §803 clearly states that "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all claims in this application.

If the Examiner has any questions concerning the Response or the application in general, the Examiner is invited to contact the undersigned so as to expedite prosecution.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: William O. Trousdell  
William O. Trousdell  
Registration No. 38,637

Post Office Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 6, 2002